



Finland

Country Reports on Human Rights Practices - [2002](#)

Released by the Bureau of Democracy, Human Rights, and Labor
March 31, 2003

Finland is a constitutional republic with a directly elected head of state (President), a Parliament, a head of government (Prime Minister), and an independent judiciary.

The Government maintains effective control of the police, all security organizations, and the armed forces.

The economy is primarily market based, and it provides citizens with a high standard of living. The population was approximately 5,195,000.

The Government generally respected the human rights of its citizens, and the law and judiciary provided effective means of dealing with individual instances of abuse. The Government took steps to address the problem of violence against women. There were reports of trafficking in persons, primarily women but also some girls, for prostitution. Finland was invited by the Community of Democracies' (CD) Convening Group to attend the November 2002 second CD Ministerial Meeting in Seoul, Republic of Korea, as a participant.

RESPECT FOR HUMAN RIGHTS

Section 1. Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

There were no reports of the arbitrary or unlawful deprivation of life committed by the Government or its agents.

b. Disappearance

There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The Constitution prohibits such practices, and there were no reports that government officials employed them.

During the year, there were a number of attacks by skinheads on Muslim owned businesses, and street fights between different ethnic groups occurred occasionally between younger groups. Somalis and Muslim immigrants were most at risk. The Government took steps to deal with this problem (see Section 5).

Prison conditions generally met international standards, and the Government permitted visits by independent human rights observers. Male and female prisoners were held separately. Juveniles were held separately from adults, and pretrial detainees were held separately from criminals.

d. Arbitrary Arrest, Detention, or Exile

The Constitution prohibits arbitrary arrest and detention, and the Government generally observed these prohibitions.

Warrants are required for arrest. If an individual is arrested while committing a crime, a warrant must be obtained within 3 days. Once arrested the accused must be given a court hearing within 3 days. There is no system of bail except for very serious crimes. Preventive detention is only permitted during a declared state of war for narrowly defined offenses, such as treason, mutiny, and arms trafficking.

The law prohibits forced exile, and the Government did not employ it.

e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary, and the Government generally respected this provision in practice.

The judiciary consists of the Supreme Court, the Supreme Administrative Court, and the lower courts. The President appoints Supreme Court justices, who in turn appoint the lower court judges. Supreme Court justices may serve until their retirement, which usually is at age 63, although justices may serve until age 67.

The law provides for the right to a fair public trial, and an independent judiciary generally enforced this right. Local courts may conduct a closed trial in juvenile, matrimonial, and guardianship cases, or when publicity would offend morality or endanger the security of the state. In national security cases, the judge may withhold from the public any or all information pertaining to charges, verdicts, and sentences. The law provides for sanctions against violators of such restrictions.

There were no reports of political prisoners.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The Constitution prohibits such practices, and the Government generally respected these prohibitions in practice. Violations were subject to effective legal sanction.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of speech and of the press, and the Government generally respected these rights in practice. An independent press, an effective judiciary, and a functioning democratic political system combine to provide freedom of speech and of the press, including academic freedom.

There were 226 newspapers, including 56 that appeared at least 4 times a week and 26 dailies. A majority of the newspapers were independent; political parties published others. The country had 70 commercial radio stations; 3 national public service radio channels in Finnish and 2 in Swedish; a radio network in the Sami language; 3 digital radio channels; and 4 independent national television channels: 2 public service and 2 commercial channels.

b. Freedom of Peaceful Assembly and Association

The Constitution provides for the freedoms of assembly and association, and the Government generally respected these rights in practice.

c. Freedom of Religion

The Constitution provides for freedom of religion, and the Government generally respected this right in practice. There are two state churches: The Evangelical Lutheran Church and the Orthodox Church. Nontraditional religious groups practiced their religion freely.

All citizens who belong to one of the two state churches pay, as part of their income tax, a church tax. Those who do not want to pay the tax must inform the applicable state church that they are leaving that church. Nontraditional religious groups were eligible for some tax relief (e.g., they may receive tax-free donations), provided they are registered with, and recognized by, the Government as religious communities.

The Ministry of Education has outlined requirements for recognition of religious communities. Religious groups

should have at least 20 members, the purpose of the group should be the public practice of religion, and the activities of the group should be guided by a set of rules. The Government recognized 45 religious communities as churches.

Instruction in the tenets of the state religions is incorporated into the curriculum of all public schools; however, students who are not members of the state churches may substitute general classes on religion and philosophy.

For a more detailed discussion see the 2002 International Religious Freedom Report.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The Constitution provides for these rights, and the Government generally respected them in practice.

The law provides for the granting of refugee and asylum status in accordance with the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol. The Government cooperated with the U.N. High Commissioner for Refugees and other humanitarian organizations in assisting refugees. Approved refugees and asylum seekers were processed directly for residence. A 1999 law promotes the integration of immigrants who have been granted asylum. The issue of the provision of first asylum has never arisen.

A total of 3,129 applications for asylum were submitted during the year. There were 592 applications from Romanian Roma, 349 from Slovakian Roma, 252 from Russians, 248 from Bulgarian Roma, and 226 from refugees from Bosnia-Herzegovina. By year's end, the Government had processed 3,334 applications; it granted asylum to 14 applicants and residence permits to 577 others, including 250 who received it on the basis of need for protection. The authorities refused 2,312 applications. Following an initial asylum examination by the police (which can take several months), asylum applications must be heard within 7 days, and applicants have 8 days to appeal a decision.

There were no reports of the forced return of persons to a country where they feared persecution.

Section 3. Respect for Political Rights: The Right of Citizens to Change Their Government

The Constitution provides citizens with the right to change their Government peacefully, and citizens exercised this right in practice through periodic, free, and fair elections held on the basis of universal suffrage.

Women were well represented at all levels of government. There were 75 women in the 200-member Parliament and 7 in the 18-member Cabinet. The President, the Speaker of Parliament, and one of the two Deputy Speakers of Parliament were women. The law requires a minimum of 40 percent membership from each sex on all state committees, commissions, and appointed municipal bodies.

Section 4. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A number of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials are very cooperative and responsive to their views.

Section 5. Discrimination Based on Race, Sex, Disability, Language, or Social Status

The Constitution prohibits discrimination based on sex, age, origin, language, conviction, opinion, or disability, and the Government effectively enforced these provisions.

Women

Violence against women continued to be a problem. Although police statistics annually report around 3,000 cases of domestic violence (with one-fourth of the victims being men), the Government estimated that some 100,000 women lived in an atmosphere of violence. Approximately 30 women died every year from violence. An estimated one-half of divorced women have experienced violent behavior from their partners. Approximately 460 rapes were reported during the year. The true number of rapes remained unknown, as the threshold to report the act to police remained very high, particularly when the victim knew the perpetrator. Reports on violence against women

indicated that only one rape in four was committed by an unknown assailant. The law criminalizes rape, spousal rape, and domestic abuse. The law provides for stringent penalties for violence against women, and the police and the courts enforced this provision. Courts have begun to impose slightly tougher sentences for rape; in the past 2 years, unconditional sentences have been lengthened by 6 months--from 18 months to an average of 2 years. Suspended sentences also have become longer.

The number of calls to the police concerned with domestic violence was not compiled centrally, but it was estimated at 10,000 to 12,000 annually, an estimate that shelter officials believed understated by one-half the number of actual incidents. The Union of Shelter Homes, as well as the municipalities, maintained 23 shelter homes for female, male, adult, and child victims of violence. Officials also established shelter homes for minors, mainly 15- to 18-year-olds. Most persons seeking shelter were women between 25 and 35 years of age, either married or in a common-law relationship, and nearly one-third were immigrants.

Administration of equality issues was divided between two units in the Ministry of Social Affairs and Health: The Office of the Ombudsman for Equality and the Gender Equality Unit. The Ombudsman for Equality continued to operate within the Ministry of Social Affairs and Health as an independent authority monitoring compliance with the Equality Act. The Gender Equality Unit had responsibility to prepare and develop the Government's equality policy in cooperation with the other ministries, to help mainstream gender equality, and to handle tasks related to the European Union's (EU's) equality law and policy and international activities. The Government's Council for Equality coordinated and sponsored legislation to meet the needs of women as workers, mothers, widows, or retirees.

Trafficking in women and children for the purposes of sexual exploitation was a problem (see Section 6.f.).

The Constitution calls for the promotion of gender equality in social activities and working life--the latter particularly in the determination of remuneration--and the country has a comprehensive equal rights law; however, in practice comparable worth has not been implemented because of the difficulty of establishing criteria. Women's average earnings were 82 percent of those of men, and women tended to be employed in lower paying occupations. While women individually have attained leadership positions in the private and public sectors, there were disproportionately fewer women in top management jobs. Industry and finance, the labor movement, and some government ministries remained male dominated. More than one-half of the country's physicians and 65 percent of medical school graduates in 2001 were women. Women served in the armed forces. Of the 79 complaints processed by the government's Equality Ombudsman between January 1 and September 30, 14 cases were judged to be violations of the law. In such cases, the law provides for correction of the situation as well as compensation for the complainant.

Children

The Government is strongly committed to children's rights and welfare; it amply funded systems of public education and medical care. Education is free and compulsory for children between 7 and 16 years of age. More than 99 percent of children between these ages attended school, and girls and boys were treated equally in the education system.

There was no pattern of societal abuse of children, and the law reflected the national consensus supporting children's rights.

There were reports of trafficking in children for prostitution (see Section 6.f.).

Persons with Disabilities

There was no discrimination against persons with disabilities in employment, education, or in the provision of other state services. The deaf and the mute were provided 120 to 240 hours of interpretation services annually. The Government provided subsidized public housing to persons with severe disabilities.

Although the law requires that new public buildings be accessible to persons with physical disabilities, many older buildings remained inaccessible. No such law applies to public transportation, but municipalities subsidized measures to improve accessibility to public vehicles. Local governments maintained a free transport service that provided a minimum of 18 free trips per month for each person with disabilities.

Indigenous People

Sami (Lapps), who constitute less than 0.1 percent of the population, benefited from legal provisions that provide for the protection of minority rights and customs. The Constitution provides for the protection of Sami language and culture and the Government financially supported Sami culture. Sami received subsidies to enable them to continue their traditional lifestyle, which revolves around reindeer herding. Sami have political and civil rights, and they were able to participate in decisions affecting their economic and cultural interests. The use of the Sami language, a minority language that is used regionally, is permitted in schools, the media, dealings with administrative and judicial authorities, economic and commercial life, and cultural activities.

National/Racial/Ethnic Minorities

The number of immigrants rose from 91,074 in 2000 to 98,577 in 2001. Immigrants account for 1.9 percent of the population. For 2001 the Police reported 426 racially motivated crimes. However, a study conducted among immigrants showed that 71 percent of victims of racially motivated crimes had not reported it to the police. Most of the victims were Somalis and Arabs, who said they experienced police discrimination. The Government took steps to address racism and intolerance. All government ministries included anti-racism provisions in their educational, information, and personnel policy programs and included relevant measures in those programs. Ministries must lower the threshold for intervention in cases of racism and promote appropriate administrative practices. In addition, the Government monitored police, border guard officers, and teachers in their treatment of immigrant groups.

Section 6. Worker Rights

a. The Right of Association

The Constitution provides for the rights of trade unions to organize and assemble peacefully. Approximately 79 percent of the work force was organized. All unions were independent of the Government and political parties.

The law protects workers against antiunion discrimination. Collective bargaining agreements as well as labor law, both of which were enforced, governs complaint resolution.

Trade unions freely affiliate with international bodies.

b. The Right to Organize and Bargain Collectively

The law provides for the right to organize and bargain collectively. Collective bargaining agreements usually are based on income policy agreements between employee and employer central organizations and the Government.

The law grants public sector employees the right to strike, with some exceptions for employees who provide essential services. A strike is legal when an employment contract is not in effect and the action is directed against the contract, but a strike would be illegal after a contract agreed to by labor, employers, and the Government is in effect. Fines were imposed for illegal striking. During the first half of the year, there were 35 brief strikes, most of them in the industrial sector and most of them illegal.

There were no export processing zones.

c. Prohibition of Forced or Bonded Labor

The Constitution prohibits forced or bonded labor, including by children, and there were no reports that such practices occurred.

d. Status of Child Labor Practices and Minimum Age for Employment

The law prohibits youths under 16 years of age from working more than 6 hours a day or at night. The Labor Ministry enforces child labor regulations; there were virtually no complaints of the exploitation of children in the work force.

e. Acceptable Conditions of Work

There is no legislated minimum wage, but the law requires all employers--including nonunionized ones--to meet

the minimum wages agreed to in collective bargaining agreements in each industrial sector. These minimum wages generally provided a decent standard of living for a worker and family.

The legal workweek consists of 5 days not exceeding 40 hours. Employees working shifts or during the weekend are entitled to a 24-hour rest period during the week. The law was enforced effectively as a minimum, and many workers enjoyed stronger benefits through effectively enforced collective bargaining agreements.

The Government sets occupational health and safety standards, and the Labor Ministry effectively enforced them. Workers can refuse dangerous work situations without risk of penalty.

f. Trafficking in Persons

The law does not explicitly prohibit trafficking in persons; however, traffickers can be prosecuted under other laws that prohibit slavery, the exploitation of prostitution by means of coercion or fraud, pimping and other related activities, and arranging illegal entries. In a few cases, the authorities prosecuted traffickers; however, according to the Government, the trafficker was often abroad and therefore difficult to prosecute. There were 22 prosecutions for these offenses during the year.

There were reports that persons were trafficked to and through the country. Most trafficking involved women and girls for prostitution from Russia and Estonia, with lesser numbers from Belarus and the Ukraine. Women generally believed that they would be offered normal employment in jobs such as dancers, waitresses, or home assistants. Investigations revealed that they were recruited by organized crime groups and, upon arrival, were directed to locations and accommodations reserved for them by intermediaries in their countries of origin.

The law includes some provisions for witness protection. Legal council is provided to victims as well as medical care and psychological counseling. The Government participated in the funding of shelters, which were generally municipally run.

The Government and NGOs made efforts to prevent trafficking. A working group consisting of representatives of the police, border control, and immigration authorities handled illegal immigration, including trafficking; however, police budget constraints limited the Government's ability to address trafficking. The Ministry of the Interior supervised the EU's antitrafficking "STOP" project--a multinational network to monitor, analyze, and combat trafficking in persons.